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* Admitted in TX only
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December 22, 2004

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Re: U.S. Patent Application No.: 10/058,657
For: *FUEL CELL AND FUEL CELL STACK*
Inventors: Toshihiko Suenaga, *et al.*
Filed: January 28, 2002
Our Ref. No.: SIW-031

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Supplemental Information Disclosure Statement;
2. PTO Form SB/08;
3. A copy of the reference cited in PTO Form SB/08 (1);
4. A copy of the German Office Action; and
5. A Return Postcard.

No additional costs are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to:
MS Amendment, Commissioner for Patents, P.O. Box 1450,
Alexandria, Virginia 22313-1450 on:

12/22/04
Date

Anthony A. Laurentano, Esq. Registration No. 38,220

Respectfully submitted,
LAHIVE & COCKFIELD, LLP

Anthony A. Laurentano, Esq.
Registration No. 38,220
Attorney for Applicants



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Toshihiko Suenaga, *et al.*

Serial No.: 10/058,657

Filed: January 28, 2002

For: *FUEL CELL AND FUEL CELL STACK*

Attorney Docket No.: SIW-031

Group Art Unit: 1745

Examiner: Tracy Mae Dove

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Certificate of First Class Mailing (37 CFR §1.8(a))

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12/22/04

Date of Signature and of Mail Deposit

By:

Anthony J. Laurentano

Anthony A. Laurentano, Esq.

Reg. No. 38,220

Attorney for Applicants

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicants and their Attorney have become aware of the following publications and information, cited in A German Office Action dated November 2, 2004 during the prosecution of German Patent No. 102 03 174.6-45 which corresponds to the above referenced application. In accordance with 37 CFR §1.97, Applicants hereby submit this publication for the Examiner's consideration. This publication is cited on the enclosed PTO Form SB/08, and a copy of the Report and the publication cited thereon is enclosed as well.

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, the Applicants understand that the Examiner will make an independent evaluation of the cited publications.

In accordance with 37 CFR §1.97(e)(1), the undersigned hereby certifies that each item contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application *for the first time* not more than three months prior to the filing of this statement.

No additional costs are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080.

Respectfully submitted,
LAHIVE & COCKFIELD, LLP



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PTO/SB/08a/b (08-03)

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TRADEMARK substitute for form 1449A/B/PTO				Complete if Known	
				Application Number	10/058,657
				Filing Date	January 28, 2002
				First Named Inventor	Toshihiko Suenaga
				Art Unit	1745
				Examiner Name	Tracy Mae Dove
Sheet	1	of	1	Attorney Docket Number	SIW-031

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
C1	DE 199 60 516 A1		07-06-2000	Toyota Jidosha KK	T ⁶ abst

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²

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Examiner Signature	Date Considered
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